

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 21 September 2004. Responsive to the rejections made in the Official Action, Claim 1 has been amended to clarify the combination of elements which form the invention of the subject Patent Application. Additionally, Claims 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 17 have been amended to correct language errors found therein and Claims 16 and 18-21 have been cancelled by this Amendment.

In the Official Action, the Examiner rejected Claims 1-21 under 35 U.S.C. § 102, as being anticipated by Gronberg, U.S. Patent 1,619,508. The Examiner stated that the Gronberg reference disclosed an offset pen comprising a holding portion, a writing tip/pencil with a writing seat having a fixing pillar/rib, an intermediate portion, storage chambers/inner tubes, a confining fringe seat/connecting part, a rubber/push portion, hand holds, and an aesthetic hole.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to an offset pen. The offset pen includes a holding portion provided for a user to operate with a hand and has a longitudinally extended first axis. The offset pen includes a writing portion laterally spaced from the holding portion and having a second axis extending in an inclined angle with respect to the first axis,

and a writing tip provided for writing. The writing tip has a writing tip seat formed around an outside of the writing tip for releasable coupling to the writing portion. The offset pen includes an intermediate portion connected between a front end of the holding portion and a back end of the writing portion so that a visible space is formed between the writing portion and the holding portion. The holding portion is formed with a longitudinally extended storage chamber for receiving a plurality of writing tips in succession therein. The storage chamber extends to an opening in the intermediate portion for depositing the writing tips into the visible space ready for use as a replacement of the writing tip coupled to the writing portion.

In contradistinction, the Gronberg reference discloses a lead pencil having a body or shell 8 formed by a longitudinally extended hollow cylinder which forms a magazine for spare pencil leads. The tip portion of the pencil 9 is offset from the central axis of the body 8, however it is parallel thereto and defined by a bore 10 through which the pencil lead 11 extends. Thus, the references teaches away from the structure of the invention of the subject Patent Application wherein the second axis extends at an inclined angle with respect to the first axis, as now claimed. In the invention of the subject Patent Application the laterally spaced and angularly directed axis of the writing portion provides the user with a viewing area of the writing tip that makes it much easier to control and provide the desired marking with the selected writing tip. The angularly offset writing portion also provides

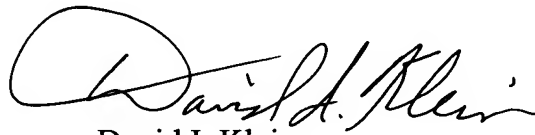
the advantage of allowing the user to vary the thickness of the line or marking being made by rotating the holding portion, thereby altering the angle of the writing portion with respect to the material being written on. These features are not provided by Gronberg or Liu, US Patent No. 3,918,819. Still further, the reference system includes a plurality of spare pencil leads 11 which are stored in parallel within a plurality of angularly spaced grooves 17 located within the body 8 of the pencil. Whereas in the invention of the subject Patent Application the plurality of writing tips are stored in succession within the storage chamber, allowing the writing tips to be displaced from the storage chamber serially.

Thus, as the reference fails to disclose each and every one of the elements of the invention of the subject Patent Application, as now claimed, it cannot anticipate that invention. Further, as the reference fails to suggest the combination of elements of the invention of the subject Patent Application, and in fact teaches away from the claimed structure, it cannot make obvious that invention either.

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Reply to Office Action dated 21 September 2004

For all of the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

A handwritten signature in black ink, appearing to read "David I. Klein". The signature is fluid and cursive, with a large loop at the beginning.

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